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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,269	10/04/2006	Yusuke Konagai	YAMA-0133	9215
37013 7590 11/22/2010 ROSSI, KIMMS & McDOWELL LLP. 20609 Gordon Park Square, Suite 150 Ashburn, VA 20147				
EXAMINER MONIKANG, GEORGE C				
ART UNIT		PAPER NUMBER		
2614				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptomail@rkmlegalgroup.com

Office Action Summary

Application No.

10/585,269

Applicant(s)

KONAGAI, YUSUKE

Examiner

GEORGE MONIKANG

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/585,269.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/308)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Interval Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamuro et al, US Patent 4472834, in view of De Vries, US Patent 6128395.

4. Re Claim 3, Yamamuro et al discloses an audio signal supply apparatus, for a speaker unit comprising a plurality of loudspeaker array units (*Yamamuro et al, fig. 7: 10.1 through 10.4; col. 3, lines 34-53*), comprising: a branching unit that branches a same input audio signal into two or more signals (*Yamamuro et al, fig. 7; col. 3, lines 34-53*); a delay unit that provides a first delay for one of the branched audio signals and supplies first delay processed signals to each of the loudspeakers of array speaker unit (*Yamamuro et al, fig. 7; col. 3, line 34 through col. 4, line 11: each delay unit 8.1 through 8.3 could be adjusted according to a user's desire to determine a sound pattern direction*); a second delay unit that provides a second delay for another of the branched audio signals and supplies second delay processed signals to each of the loudspeakers of array speaker unit (*Yamamuro et al, fig. 7; col. 3, line 34 through col. 4, line 11: each delay unit 8.1 through 8.3 could be adjusted according to a user's desire to determine a sound pattern direction, and since there are a plurality of delays, there could be a plurality of sound pattern directions*); a weighting unit that weighs each of the delay

processed audio signals from the first and second delay units to be supplied to the loudspeakers in accordance with a provided gain coefficient for each of the delay processed audio signals (*Yamamuro et al, fig. 7: 9.1-9.4; col. 3, lines 34-53*); and an adding unit that adds the first and second delay processed signals applied to each of the respective loudspeakers (*Yamamuro et al, fig. 7: 12.1-12.4; col. 3, lines 34-53*); but fails to disclose a directivity control unit that generates the first directivity control information and the second directivity control information so that a directional characteristic of the array speaker unit obtained by the first delay differs from the directional characteristic of the array speaker unit obtained by the second delay, and supplies the generated information respectively to each of the first delay unit and the second delay unit. However, De Vries discloses a system where an electronic control unit is used to control digital filter coefficients and delay unit times that are used to determine the directivity of a speaker array (*De Vries, col. 5, lines 24-47: the electronic control unit is used to set the digital filter coefficient and the delay times stored in the EEPROM, where the filter coefficients and delay times determine the directivity pattern of the speaker array*). It would have been obvious to modify the Yamamuro et al directional system with an electronic control unit and place to store delay times as taught in De Vries for the purpose of enabling the user to easily set the delay times in the Yamamuro et al system.

5. Claims 1-2 & 4-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamuro et al, US Patent 4472834 and De Vries, US Patent 6128395, as applied to claim 3 above and further in view of Hatae, US Patent 5675655.

6. Re Claim 1, the combined teachings of Yamamuro et al and De Vries disclose the audio signal supply apparatus according to claim 3, further comprising: a storage unit that stores the first control information (De Vries, col. 5, lines 24-47: the electronic control unit is used to set the digital filter coefficient and the delay times stored in the EEPROM, where the filter coefficients and delay times determine the directivity pattern of the speaker array), wherein the directivity control unit instruction, also the gain control coefficient and supplies the gain control coefficient to the weighting unit (Yamamuro et al, fig. 7: 9.1-9.4; col. 3, lines 34-53); but fail to disclose setting the directional characteristic of the array speaker unit as a narrow directivity, and the second control information, which sets the directional characteristic of the array speaker unit as a wide directivity. Hatae discloses the ability to provide a wide directivity controlled output and a narrow directivity controlled output (Hatae, col. 4, lines 50-54). It would have been obvious to set the delays of the filters in Yamamuro et al to determine the directivity of any of the given speakers (Yamamuro et al, fig. 7: 10.1 through 10.4; col. 3, lines 34-53) to be wide directivity, narrow directivity respectively as taught in Hatae (Hatae, col. 4, lines 50-54) or any combination of wide, narrow directivity as seen fit by Yamamuro et al for the purpose of providing sounds to a multitude array of listeners with different hearing capabilities within the same space.

Re Claim 2, the combined teachings of Yamamuro et al, De Vries and Hatae disclose the audio signal supply apparatus according to claim 1, wherein the amount of delays obtained by the second is 0 or an equal amount (Hatae, col. 6, lines 53-60; col. 6, line 65 through col. 7, line 4) for the purpose of minimizing the ambient noise that can affect the directivity of the speakers.

Claim 4 has been analyzed and rejected according to claim 3.

Claim 5 has been analyzed and rejected according to claim 2.

1. Re Claim 6, the combined teachings of Yamamuro et al, De Vries and Hatae disclose the audio signal apparatus of claim 3; a frequency property correction unit that corrects frequency property of audio signals (Yamamuro et al, fig. 7: col. 3, line 34 through col. 4, line 11).

Claim 7 has been analyzed and rejected according to claim 1.

Re Claim 8, the combined teachings of Yamamuro et al, De Vries and Hatae disclose the audio signal supply apparatus according to claim 4, wherein the directional characteristic of the array speaker unit obtained through the first delay overlap with the directional characteristic of the array speaker unit obtained through the second delay (Hatae, fig. 5; fig. 7: 202-205; col. 7, lines 29-37) for the purpose of creating a dynamic system.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEORGE MONIKANG whose telephone number is

(571)270-1190. The examiner can normally be reached on 9:00-5:00 EST Monday-Friday, Alt Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/GEORGE MONIKANG/
Examiner, Art Unit 2614

11/15/2010

/VIVIAN CHIN/
Supervisory Patent Examiner, Art Unit 2614